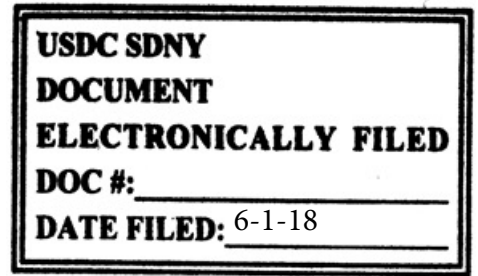




May 31, 2018



VIA ECF & EMAIL (parker_nysdchambers@nysd.uscourts.gov)

Hon. Katharine H. Parker
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

**Re: Daniel Kleeberg, et al. v. Lester Eber, et al.
Case No. 1:16-cv-09517**

APPLICATION GRANTED:

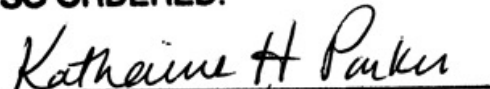
The Eber Defendants' motion to file Exhibit E to ECF Doc No. 98 under seal is granted.

The Clerk is respectfully directed to place Exhibit E to ECF Doc. No. 98 under seal and to terminate ECF 104.

Dear Magistrate Judge Parker:

As discussed with the Court and counsel during the May 31 Conference, Defendants, Lester Eber, Alexbay LLC, Eber Bros. and Liquor Corporation, Eber Bros. Wine & Liquor Metro, Inc., Wendy Eber (collectively "Eber Defendants"), request that the Court place the motion under seal based upon the attorney-client privilege:

SO ORDERED:

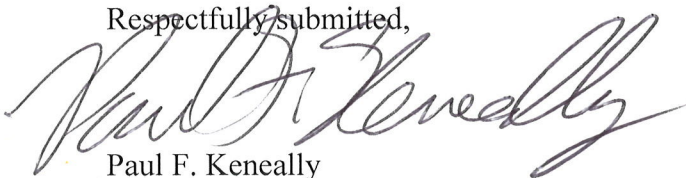

**HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE**

6-1-18

Exhibit E to plaintiffs' letter motion (Document 98), efiled on May 25, 2018.

The aforementioned document should be placed under seal because it is covered by the attorney-client privilege. More specifically, the document is a letter from Michael J. Beyma, Esq. to his client, defendant Wendy Eber, and co-counsel Glenn Sturm, Esq., containing legal advice requested by Ms. Eber and defendant Lester Eber. Former defendant Elliott Gumaer, Esq. was also counsel to the Ebers regarding these and other legal issues. Granting this Order will prevent any further dissemination of attorney-client privileged information and cause no prejudice to any other party. Pursuant to the Court's Scheduling Order, the Eber Defendants will be also moving to clawback that document and any other of their attorney-client privileged documents produced by former defendant Elliott Gumaer, Esq.

Respectfully submitted,


Paul F. Keneally

PFK/dd

cc.: Donald W. O'Brien, Esq. (via ECF and email)
Robert Calihan, Esq. (via ECF and email)
Brian Brook, Esq. (via ECF and email)
Laura Myers, Esq. (via email)
Michael J. Adams, Esq. (via email)